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Attorneys for Plaintiff Vial and proposed Class Members

**UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**

JAIME VIAL, as representative of the heirs
of Rene Correa Borquez and on behalf of
other persons similarly situated,

Plaintiff,

v.

BRENDA MAYRACK, in her individual
capacity and official capacity as
DIRECTOR OF THE OFFICE OF
UNCLAIMED PROPERTY OF THE
STATE OF DELAWARE, BRIAN
WISHNOW, in his official capacity as the
Assistant Director Enforcement of the
Office of Unclaimed Property; and
RICHARD J. GEISENBERGER, in his
official capacity as the Secretary of Finance
for the State of Delaware,

Defendants.

Case No.: 1:24-cv-01313-MN

**MOTION FOR TEMPORARY
RESTRAINING ORDER AND
PRELIMINARY INJUNCTION**

**MOTION FOR TEMPORARY RESTRAINING ORDER AND PRELIMINARY
INJUNCTION**

Pursuant to Fed. R. Civ. P. 65 and applicable law, Plaintiff Jaime Vial (as legal representative of the heirs of Rene Correa Borquez) hereby moves this Honorable Court, on behalf of himself and all others similarly situated for a temporary restraining order and a preliminary injunction against Defendants Brenda Mayrack, in her individual capacity and official capacity as the Director of the Office of Unclaimed Property of the State of Delaware (“Director”), Brian Wishnow, in his official capacity as the Assistant Director Enforcement of the Office of Unclaimed Property, Richard J. Geisenberger, in his official capacity as the Secretary of Finance for the State of Delaware, and Colleen C. Davis, in her official capacity as the Treasurer for the State of Delaware (collectively, “Defendants”), for the reasons stated in the attached memorandum.

Dated: December 30, 2024

Respectfully submitted,

/s/ Andrew C. Dalton

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Attorneys for Plaintiff Vial and Class Members

CERTIFICATE OF SERVICE

I, Andrew C. Dalton, hereby certify that on this 30th day of December, 2024, filed the foregoing Motion for Temporary Restraining Order and Preliminary Injunction with the Clerk of Court using the CM/ECF system, and served the same documents via process server on Defendants.

/s/ Andrew C. Dalton _____

Andrew C. Dalton
Attorney for Plaintiff